

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 3744  
Examiner : Chen Wen Jiang  
Serial No. : 10/706,107  
Filed : November 12, 2003  
Inventor : Michael R. DeLuca  
Title : TEMPERATURE CONTROL SYSTEM

Customer No.: 035811

Docket No.: 1147-02

Confirmation No.: 6508

Dated: October 3, 2005

**NOTICE OF APPEAL**

**Mail Stop AF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals the decision in the Official Action dated May 2, 2005 of the Primary Examiner finally rejecting Claims 1, 2, 4-10 and 13-19.

Enclosed herewith is our check in the amount of \$250 to cover the fee for filing of the Notice of Appeal.

The Commissioner is hereby authorized to charge any additional payment or credit any overpayment to Deposit Account No. 50-2719. A duplicate copy of this Notice of Appeal is enclosed.

10/11/2005 TBESHAH1 00000024 10706107

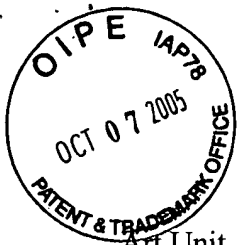
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Respectfully submitted,

T. Daniel Christenbury  
Reg. No. 31,750

TDC:vbm  
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P.O. Box 1450  
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Sir:

**Certificate of Mailing Under 37 CFR 1.8**

For

Postcard

\$250 Check (Notice of Appeal)

\$165 Check (Remainder of 2-month Claim of Extension of Time)

Claim of Extension of Time, in duplicate

Notice of Appeal, in duplicate

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to **Mail Stop AF**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date appearing below.

Name of Applicant, Assignee, Applicant's Attorney  
or Registered Representative:

DLA Piper Rudnick Gray Cary US LLP  
Customer No. 035811

By: 

Date: 30 OCT 2005